

**MONTAGUE BOARD OF HEALTH MEETING**  
**Wednesday, January 21, 2015 – 5:30 pm – Downstairs Meeting Room**  
Town Hall, One Avenue A, Turners Falls, MA

**Meeting Minutes**

**Present:** Michael Nelson, Chair, Albert (Al) Cummings, Christopher Boutwell (late 5:40 PM) & Gina McNeely R.S., CHO

**Guests:** Chris Curtis – The Recorder, Mary Kersell - Tobacco Coalition

Michael Nelson called the meeting to order at 5:35PM

**Review December 17, 2014 Minutes:**

*Al Cummings **motioned** to accept the minutes December 17, 2014. Seconded by, Michael Nelson. **Motion passes.***

**Director's Report for November 2014**

- a) 4E Camp being sold – Title 5 inspection being done due to the sale. The argument is that since the camp building is privately owned but the land is owned by the FirstLight. Gina's determination is upon sale of the camp building a title 5 must be conducted otherwise the systems will go uninspected until the utility sells the company.
- b) 108 Avenue A photos for emergency visit.
- c) Madison on the Avenue – had a long talk with Rodney and there have been a lot of improvements to the property and the alley.
- d) No heat calls have been using the new technology of the data logger.
- e) John Lankarge has a complaint about a piggery at 119 Old Sunderland Road he will be coming in front of the BOH. Conservation Commission went out and found no issues at the property. Gina has been out two times and has not seen anything.

*Christopher Boutwell **motioned** to accept the Director's report for November 2014. Seconded by, Al Cummings. **Motion passes.***

**Director's Report for December 2014:**

- a) 7-9 Federal Street – Nothing has been happening so it is going to court and is currently awaiting a court date.
- b) 113 Avenue A - Second Floor - Lorraine Algozer, occupant Tom Cameron, owner- eviction in progress housing inspection completed.
- c) 38 East Main Street - initial exterior and common interior inspection in preparation for receivership
- d) 3 Norman Circle ongoing issues owners are in the state of NY. A letter and phone call will come from Gina to the owners.
- e) 5 Ninth Street Fire- this was a house we were called to several times for trash, debris and vagrant activity.
- f) 41 East Main Street Trailer- filed a show cause request and sent a copy to Mr. Farrick it seems to have worked since Michael reported yesterday that the trailer is gone.

*Al Cummings **motioned** to accept the Director's report for December 2014. Seconded by, Christopher Boutwell. **Motion passes.***

**Review any received comments from the 30 day comment period given at the last Montague Board of Health Meeting regarding considering adopting tobacco regulations entitled “Regulation Restricting the Sale of Tobacco Products.”** The first listed amendment changes the definition of tobacco, includes restrictions on the sale of flavored tobacco products, and increases the minimum legal sales age to twenty-one.

**Guests:** Mary Kersell – Tobacco Coalition, Rosie Masters – Steve Kulik’s Office, Michele Komosa, Melissa Winters, Kara McLaughlin, Ken Farbstein, Sondra Farbstein, Cheryl Sbarra, Ray Cross and David Rainville – Greenfield Recorder  
The Montague Board of Health received 10 letters in favor and three letters against the proposed regulation.

In favor:

- 1) Jonathan Winickoff, MD, MPH Associate Professor, Dept. of Pediatrics, Harvard Medical School
- 2) Lester J. Hartman, MD MPH FAAP - Westwood/Mansfield Pediatrics
- 3) Max Rangel - Columbia University in the City of New York Former Sergeant, US Marine Corps
- 4) Deborah Vincent-Coutinho - Shelburne Board of Health
- 5) Michelle Komosa, Director Tobacco Free Community Partnership for Hampshire and Franklin Counties
- 6) Tami Gouveia, MSW, MPH – Executive Director Tobacco Free Mass
- 7.) Randy Crochier, Gill Board of Health
- 8.) Claire Chang
- 9.) Rusty Potter, Greenfield, MA
- 10.) Rachel Stohler

Against:

- 1) FL Roberts
- 2) Cumberland Farms
- 3) National Association of Tobacco Outlets (NATO)

Note: Hatfield has passed the 21 plus regulations and Greenfield, Amherst, Shelburne Falls; Deerfield & Leverett are in conversation.  
Granby – Did not pass the regulations recently.

Mary Kersell says from a public health point of view there is no down side to raising the age. Dennis – the enforcement officer has had conversations with the liquor store owners and it would be nice due to the alcohol age limit.

There is the thought that this will eliminate the social source of tobacco to the youth and thus curb the accessibility to the high school age youth.

The flavor banned has mimicked what the Federal Drug Agency has done with cigarettes. The move has been to smoke the little flavored cigars as they are less expensive. In passing this regulation should make an impact on the sales/distribution of tobacco to our youth.

Christopher Boutwell stumbled upon documentation from 10 years ago where a ruling stated Public Health comes first.

Mary Kersell said there is tremendous money and resources spent on the marketing of Tobacco vs. Public Health efforts.

Christopher Boutwell ***motioned*** to accept the **tobacco** regulations entitled **“Regulation Restricting the Sale of Tobacco Products.”** The first listed regulation amends the definition of tobacco, includes restrictions on the sale of flavored tobacco products, and increases the minimum legal sales age to twenty-one on July 1, 2015. Seconded by, Al Cummings. ***Motion passes.***

*Al Cummings motioned to adjourn the meeting. Seconded by, Christopher Boutwell. Motion passes.*  
Meeting adjourned: 6:40 PM

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_